

JOSE LUIS TRUJILLO
FLORENCIA TRUJILLO
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IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF COCHISE

JOSE LUIS TRUJILLO and FLORENCIA
TRUJILLO, husband and wife,

Plaintiffs,

vs.

VICKIE BENITA GREEN and JOHN DOE
GREEN, wife and husband; NATIONAL
PROGRESSIVE INC., a California
Corporation; JOHN DOES I - X; JANE
DOES I - X; CORPORATIONS I - X and/or
PARTNERSHIPS I - X,

Defendants.

NO. **CV201900154**

COMPLAINT

(Tort - Motor Vehicle)

The Plaintiffs, JOSE LUIS TRUJILLO and FLORENCIA TRUJILLO, for their claims
against the Defendants, allege as follows:

I.

Both Plaintiff Jose Luis Trujillo (Jose) and Plaintiff Florencia Trujillo (Florencia), are
individuals residing in Rio Rico, Santa Cruz County, Arizona. The acts and/or omissions
alleged herein, giving rise to the complaint, occurred in Cochise County, Arizona.

II.

Defendant Vickie Benita Green (Vickie) is an individual residing in Los Angeles,
County of Los Angeles, Arizona. The acts and/or omissions alleged herein, giving rise to the
complaint, occurred in Cochise County, Arizona.

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III.

All individual Defendants, if married, at all times relevant hereto, were acting on behalf of their respective marital communities. The identity of any fictitiously named Defendants is presently unknown to the Plaintiff, and leave of the Court to amend this complaint will be requested after their identities and involvement become known to the Plaintiff. The Defendants, and each of them, were the agents, representatives, employees, employers, co-venturers, and/or principals of each of the remaining co-defendants and in doing the things contained herein, were acting in the scope and course of such capacity. Further, each co-defendant ratified each act contained herein.

IV.

On April 23, 2017, at approximately 4:38 p.m., Plaintiff Jose was westbound on Interstate 17 and was intending to exit onto southbound SR 90 to go to Rio Rico when a semi truck suddenly stopped in front of them. Plaintiff Jose tried to take evasive action but could not and collided into the rear of the tractor trailer of the semi truck. At the said time and place, Defendant Vickie was a semi-truck driver for National Progressive Inc and was also westbound on Interstate 17 when Defendant's semi truck suddenly lost pressure. Defendant Vickie tried to shift gear but her truck suddenly came to a complete stop in the middle of the road. The collision between the two vehicle occurred in the City of Benson, County of Cochise, State of Arizona. At the said time and place, Plaintiff Florencia was a passenger in Plaintiff Jose's car. As a direct and proximate result of Defendant Vickie's negligence, a collision occurred. There was nothing Plaintiff Jose and Plaintiff Florencia' could do to avoid the collision. The Plaintiffs' injuries were the direct result of Defendant Vickie's negligence and inattentive driving.

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V.

As a result of the careless, reckless, negligent, and unlawful conduct of Defendant, Plaintiff Jose and Plaintiff Florencia suffered physical and mental pain and suffering, bodily injuries, and impairment of their ability to enjoy life, all to their damage in an amount to be proven at the time of trial.

VIII.

As a further direct result of the careless, reckless, negligent and unlawful conduct of Defendant Vickie, the Plaintiffs have been damaged in that they have incurred the expense of medical and related care and treatment, in an amount to be proven at the time of trial.

IX.

Plaintiffs claims exceed the minimum jurisdictional requirement for filing with this court.

WHEREFORE, Plaintiffs request judgment against the Defendants, and each of them, according to proof at time of trial, for the following damages:

1. For Plaintiffs' general damages for physical and mental pain and suffering, inconvenience, for impairment of their ability to enjoy life, and for bodily injury;
2. For Plaintiffs' medical and related expenses incurred and to be incurred as a result of the above-described accident;
3. For Plaintiffs' court costs;
4. And for such other and further relief as the Court deems just and proper.

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1 DATED this _____ day of April, 2019.
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